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July 3, 2006

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5702-01043

**REMARKS**

Applicant notes with appreciation the allowability of claims 4-6 if rewritten to include all of the limitations of the base claim and any intervening claims. Accordingly, new claims 16-18 are presented wherein claim 16 represents the combination of the limitations of claims 2 and 4, and claims 17 and 18 represent the limitations of original claims 5 and 6 as properly depending on new claim 16.

Relative to the examiner's comments, Applicant addresses the issues as presented by the examiner.

**35 U.S.C. 112 second paragraph**

Claim 8 is now cancelled thereby obviating the rejection under 35 U.S.C. 112, second paragraph.

**35 U.S.C. 103(a)**

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau in view of Schmucker et al, and further in view of Hill. As given above relative to claims 2 and 3, and 10, Bernau describes a snap fit, and a rotary bayonet latching arrangement, but does not describe or suggest an interference fit as affirmatively claimed in claim 2. Schmucker et al. describes a threaded relationship between the cap and the base, but does not describe or suggest an alternative to fixing the base and the cap together, namely by interference fit about the periphery of the base and the cap. Hill does not resolve the deficiencies of Bernau or Schmucker. In essence, neither Bernau, Schmucker, or Hill, when taken alone or in combination, describe a gas generator having a base and a cap rotatably fixed to each other about the periphery of the base and the cap thereby forming an interference fit. A prima facie case of obviousness is not supported unless the limitations of the claims are described with particularity in either one or more of the cited references, and, unless the requisite suggestion to combine the references has been shown.

For the reasons given relative to claim 12, claim 13 is also considered patentable. Claim 13 is rejected under under 35 U.S.C. 103(a) as being unpatentable over Bernau in view of Schmucker et al, and further in view of Bornheim et al. For the same reasons as characterized in the remarks to the rejection of claim 10, herein incorporated by reference, Schmucker does not describe the present invention as claimed in claim 13. Bornheim does not resolve the deficiencies of Schmucker for Bornheim does not suggest or describe a gas generator having a base and a cap rotatably fixed to each other to form an interference fit about the periphery of the base and the cap. A prima facie case of obviousness

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is not supported unless the limitations of the claims are described with particularity in either one or more of the cited references. Applicant therefore traverses the rejection to claim 13.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau et al ('852). Bernau et al. does not describe a gas generator having a plurality of protruding portions spaced along and integral to a cap peripheral edge. Nor does Bernau describe a gas generator having a plurality of hook members spaced about and integral with the base peripheral edge. Bernau instead describes a snap fit of the base and the cap as they are pressed together. See Col. 4, lines 37-42. Also note that the snap fit occurs in an annular region or inner area of the inflator, not about the periphery of the base and the cap as presently claimed in claims 2 and 3. See the figures (Fig. 2A for example) and see column 4, lines 57-60. Bernau does not describe the peripheral connection described in the present application, nor does Bernau describe a bayonet connection with an *interference fit*. The Examiner does indicate that Bernau describes the use of a rotary bayonet *latching arrangement*; see column 4, lines 57-60. The *latching arrangement*, however, is not akin to the *interference fit* as affirmatively claimed in claim 2.

The Examiner has provided a non-analogous reference, U.S. Patent No. 4,257,394 to Zabel describing a rotary bayonet arrangement for *low pressure* application, as exemplary of the rotary bayonet latching arrangement of Bernau. See Zabel column 1, lines 19-45, and, see column 3, line 32-column 4, line 16. Note that a lanced portion 27 of long portions 21 of pot flange 17 interlocks with a notch 29 of pot lid 11/12 to form a locking abutment 28. It will be appreciated that given the non-analogous nature of the reference, and the different problem solved, one of ordinary skill in the art would not consult a reference that provides for operability within a relatively low pressure environment, particularly when gas generators typically operate at elevated pressure.

Nevertheless, the rotary bayonet latching arrangement exemplified by Zabel, and referred to by Bernau, in no way anticipates the interference fit provided by the present invention and claimed in claim 2. In essence, the present invention provides a far less complex way to fix the base to the cap and yet retain the seal in a high pressure environment. This simply is not described or suggested by Bernau given the distinction between a latching arrangement and an interference fit. Applicant notes the Examiner's comment that an interference fit can be implied by the language in column 4, line 41. However, that language is contextually related to the snap fit arrangement, not a rotary arrangement as provided for in the present invention.

In view of the above, Applicant believes that Bernau does not sufficiently support a prima facie case of obviousness under 35 U.S.C. 103. In essence, the Examiner has not with particularity shown in any reference, when taken alone or in combination with another, a rotary bayonet connection utilizing an interference fit.

For the reasons given, the rejections of claims 2 and 3 under 35 U.S.C. 103(a) in view of Bernau et al. is traversed.

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**Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau et al. in view of Hill. For the reasons given relative to claims 2 and 3 above, herein incorporated by reference, Bernau does not describe the limitations of claim 7. Nor does Hill cure the deficiencies of Bernau et al. Accordingly, the rejection of claim 7 is also traversed. Applicant reserves further comment if necessary with regard to Hill in particular.

**Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau et al. in view of Bornheim et al. For the reasons given relative to claims 2 and 3 above, herein incorporated by reference, Bernau does not describe the limitations of claim 9. Nor does Bornheim et al. cure the deficiencies of Bernau et al. Accordingly, the rejection of claim 9 is also traversed. Applicant reserves further comment if necessary with regard to Bornheim in particular.

**Claims 10, 11, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau et al. in view of Schmucker et al. For the reasons given relative to claims 2 and 3 above, herein incorporated by reference, Bernau does not describe the limitations of claims 10, 11, or 15. Nor does Schmucker et al. cure the deficiencies of Bernau et al. Accordingly, the rejections of claims 10, 11, and 15 are also traversed. Applicant reserves further comment if necessary with regard to Schmucker in particular.

**Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau in view of Schmucker et al, and further in view of Hill. As given above relative to claims 2 and 3, and 10, Bernau describes a snap fit, and a rotary bayonet latching arrangement, but does not describe or suggest an interference fit as affirmatively claimed in claim 2. Schmucker et al. describes a threaded relationship between the cap and the base, but does not describe or suggest an alternative to fixing the base and the cap together, namely by interference fit about the periphery of the base and the cap. Hill does not resolve the deficiencies of Bernau or Schmucker. In essence, neither Bernau, Schmucker, or Hill, when taken alone or in combination, describe a gas generator having a base and a cap rotatably fixed to each other about the periphery of the base and the cap thereby forming an interference fit. A prima facie case of obviousness is not supported unless the limitations of the claims are described with particularity in either one or more of the cited references, and, unless the requisite suggestion to combine the references has been shown.

**Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernau in view of Schmucker et al, and further in view of Bornheim et al. For the same reasons as characterized in the remarks to the rejection of claims 10 and 12, herein incorporated by reference, neither Bernau nor Schmucker describes the invention as claimed in claim 13. Bornheim does not resolve the deficiencies of Bernau or Schmucker for Bornheim does not suggest or describe a gas generator having a base and a cap rotatably fixed to each other to form an interference fit about the periphery of the base and the cap. A prima facie case of obviousness is not supported unless the limitations of the claims are described with

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particularity in either one or more of the cited references. Applicant therefore traverses the rejection to claim 13.

In sum, none of the cited references when taken alone or together describe with particularity a gas generator having a base and a cap fixed by a non-threaded interference fit about the periphery of the base and the cap. Because none of the references when taken alone or together describe with particularity the limitations of the claims as now drafted, the present rejections under 35 U.S.C. 103 are not supported. Furthermore, none of the cited references provide the requisite suggestion or motivation to alter the respective means to fix the base to the cap as affirmatively claimed. As such, present advantages such as simplified manufacturing and reduced costs are not enjoyed or addressed in the same manner. Furthermore, a prima facie case of obviousness is also not supported absent the requisite motivation to combine the references.

Accordingly, for the reasons stated above, the standing rejections are respectfully traversed, and the allowance of claims and passage of the subject application to issue are courteously solicited. The Examiner's call to the undersigned is requested if it will assist in eliminating pending prosecutorial issues. Concurrently herewith, Applicant petitions for a one-month extension of time to respond. Our credit card authorization sheet is included herewith. The Commissioner is authorized to charge any deficiencies or credit any overages to Deposit Account No. 50-3238.

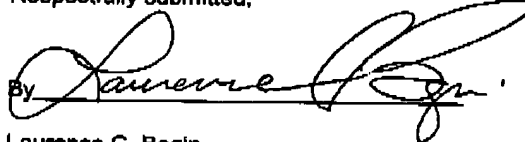
Date

7/3/06

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Respectfully submitted,

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